

**REMARKS**

In the Office Action, the Examiner indicated that claims 1-32 were pending in the application. Claims 7, 13 and 26 have been cancelled without prejudice or disclaimer and claims 1, 8, 10, 12, 14-18, 20, 22-25, 28, 30 and 31 have been amended. Thus, claims 1-6, 8-12, 14-25 and 27-32 are pending and under consideration. No new matter is included in this amendment.

**Allowable Subject Matter:**

At page 5 of the Office Action the Examiner has indicated that claims 1-6 and claims 27-32 are allowed. Of the allowed claims, claims 1, 28, 30 and 31 have been amended to improve form and/or to correct errors.

At page 5 of the Office Action, the Examiner indicates that claims 8-11 and 20-25 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form, including all the limitations of the base claim and any intervening claims. Claims 8 and 10 have been amended to incorporate the features of claim 7 and claims 9 and 11 depend from claims 7 and 10, respectively. Thus, claims 8-11 are deemed to be in allowable form. Claims 20, 22 and 23 have been amended to incorporate the features of claims 19 and 12 and claims 24 and 25 have been amended to incorporate the features of claim 12, thus claims 20-25 are deemed to be in allowable form.

**The First 35 USC §102(b) Rejection:**

At page 2 of the Office Action, claim 7 is rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,793,407, to Park et al. Claim 7 has been amended to recite that the light source is "mounted on the actuator assembly and emitting the light beam." As noted by the Examiner at page 5 of the Office Action, the light source of Park is not mounted on the actuator. Thus claim 7 as amended is not anticipated by Park et al.

**The Second 35 U.S.C. §102(b) Rejection:**

At page 2 of the Office Action, claims 7, 12, 19 and 26 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,288,985, to Jordache et al. Claims 7 and 26 have been cancelled without prejudice or disclaimer, thus the rejections of claims 7 and 26 are moot.

Claim 12 has been amended to recite "a driving unit having first and second parts, the first part mounted at the free end of the actuator arm and the second part mounted at the free end of the load beam and interacting with the first part to provide a driving force to move the slide element in the radial direction relative to the actuator arm, wherein: the driving unit is more distant from the pivot axis than the central axis of the objective lens." This combination of features is not disclosed by Jordache et al.

Claim 19 is deemed to be patentable at least for similar reasons set forth above regarding claim 12.

**The Third 35 U.S.C. §102(b) Rejection:**

At page 4 of the Office Action, claims 12-18 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,615,203, to Fukakusa. Claim 12 has been amended to recite "a driving unit having first and second parts, the first part mounted at the free end of the actuator arm and the second part mounted at the free end of the load beam and interacting with the first part to provide a driving force to move the slide element in the radial direction relative to the actuator arm, wherein: the driving unit is more distant from the pivot axis than the central axis of the objective lens." This combination of features is not disclosed by Fukakusa. Claim 13 has been cancelled without prejudice or disclaimer, thus the rejection of claim 13 is moot.

Claims 14, 15 and 18 are deemed to be patentable at least for similar reasons set forth above regarding claim 12.

Claim 17 has been amended to recite that the intermediate region is "disposed between the free and fixed ends of the load beam and closer to the fixed end of the load beam than to the free end of the load beam." In Fukakusa, the spring 87 is clearly closer to the optical head holder 40 than to the caulking element 86 of the slide holder 80.

**Conclusion:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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